

House File 2775 - Enrolled

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HOUSE FILE 2775

AN ACT

RELATING TO THE JUDICIAL BRANCH INCLUDING THE ASSESSMENT OF
COURT FEES AND COSTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.20B, subsection 4, paragraph a,
subparagraph (2), Code 2005, is amended to read as follows:

~~(2) Issue a citation to the driver. If a citation is
issued, the citation shall be issued under this subparagraph
unless the driver has been previously charged and cited for a
violation of subsection 1. A citation which is issued and
subsequently dismissed shall be disregarded for purposes of
determining if the driver has been previously charged and
cited.~~

Sec. 2. Section 321.20B, subsection 4, paragraph c, Code
2005, is amended to read as follows:

c. An owner or driver cited for a violation of subsection
1, who produces to the clerk of court prior to the date of the
~~individual's~~ person's court appearance as indicated on the
citation proof that financial liability coverage was in effect
for the motor vehicle at the time the person was stopped and
cited, shall not be convicted of such violation and the
citation issued shall be dismissed by the court. Upon
dismissal, the court or clerk of court shall assess the costs
of the action against the defendant named on the citation.

Sec. 3. Section 321.20B, subsection 5, paragraph b, Code
2005, is amended to read as follows:

b. Issue a citation. An owner or driver who produces to
the clerk of court prior to the date of the ~~individual's~~
person's court appearance as indicated on the citation proof
that the financial liability coverage was in effect for the
motor vehicle at the time the person was stopped and cited, or
if the driver is not the owner of the motor vehicle, proof
that liability coverage was in effect for the driver with
respect to the motor vehicle being driven at the time the
driver was stopped and cited in the same manner as if the
motor vehicle were owned by the driver, shall be given a
receipt indicating that proof was provided, and the citation
issued shall be dismissed by the court. Upon dismissal, the
court or clerk of court shall assess the costs of the action
against the defendant named on the citation.

Sec. 4. Section 321.174, subsection 3, Code 2005, is
amended to read as follows:

3. A licensee shall have the licensee's driver's license
in immediate possession at all times when operating a motor
vehicle and shall display the same, upon demand of a judicial
magistrate, district associate judge, district judge, peace
officer, or examiner of the department. However, a person
charged with violating this subsection shall not be convicted
and the citation shall be dismissed by the court if the person
produces to the clerk of the district court, prior to the
licensee's court date indicated on the citation, a driver's
license issued to that person and valid for the vehicle
operated at the time of the person's arrest or at the time the
person was charged with a violation of this section. Upon
dismissal, the court or clerk of court shall assess the costs
of the action against the defendant named on the citation.

Sec. 5. Section 327B.1, subsection 7, Code Supplement

2005, is amended by striking the subsection and inserting in
lieu thereof the following:

7. A motor carrier owner or driver charged with failure to
have proper evidence of interstate authority shall not be
convicted of such violation and the citation shall be
dismissed by the court if the person produces to the clerk of
court prior to the date of such person's court appearance as
indicated on the citation, proof of interstate authority
issued to that person and valid at the time the person was
charged with the violation under this section. Upon
dismissal, the court or clerk of court shall assess the costs
of the action against the defendant named on the citation.

3 4 Sec. 6. Section 582.4, Code 2005, is amended to read as
3 5 follows:
3 6 582.4 LIEN ~~BOOK~~ DOCKET == FEES.
3 7 Every clerk of the district court shall, ~~at the expense of~~
3 8 ~~the county, provide a suitable well-bound book to be called~~
3 9 ~~the maintain a~~ hospital lien docket in which, upon the filing
3 10 of any lien claim under the provisions of this chapter, the
3 11 clerk shall enter the name of the injured person, the date of
3 12 the accident, and the name of the hospital or other
3 13 institution making the claim. The clerk shall make a proper
3 14 index of the same in the name of the injured person and the
3 15 clerk shall collect a fee ~~of ten dollars in the amount~~
3 16 ~~provided for in section 602.8105~~ for filing each lien claim.

3 17 Sec. 7. Section 602.8105, subsection 1, Code Supplement
3 18 2005, is amended by adding the following new paragraph:

3 19 NEW PARAGRAPH. g. For filing and docketing a transcript
3 20 of the judgment in a civil case, fifty dollars.

3 21 Sec. 8. Section 602.8105, subsection 2, paragraph b, Code
3 22 Supplement 2005, is amended to read as follows:

3 23 b. For filing and entering ~~an agricultural supply dealer's~~
3 24 ~~lien and any other statutory lien~~, twenty dollars.

3 25 Sec. 9. Section 631.6, subsection 1, paragraph c, Code
3 26 2005, is amended to read as follows:

3 27 c. Postage charged for the mailing of original notice
3 28 shall be ~~eight ten~~ dollars.

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CHRISTOPHER C. RANTS
Speaker of the House

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JEFFREY M. LAMBERTI
President of the Senate

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I hereby certify that this bill originated in the House and
is known as House File 2775, Eighty-first General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

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Approved _____, 2006

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THOMAS J. VILSACK

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Governor